

# Washington State Nursing Care Quality Assurance Commission Business Meeting

**DRAFT** MINUTES—May 10, 2002  
 Creekside 3 at Centerpointe, Suite 200  
 20435<sup>d</sup> 72nd Ave South  
 Kent, WA 98032

**Commission Members present:**

Joanna Boatman, RN, Chair  
 Becky Kerben, LPN, Co-Chair  
 Shirley Coleman Aikin, RN, MSN  
 Shannon Fitzgerald, RN, MSN  
 Ezra Kinlow, Public Member  
 Gail Kirk, PhD, Public Member

Frank Maziarski, RN, CRNA  
 Cheryl Payseno, RN, MPA (excused)  
 Sandra Weeks, LM, ARNP (excused)  
 Marlene Wells, LPN

**Assistant Attorney General:**

Marc Defreyn, Assistant Attorney General

**Staff present:**

Paula R. Meyer, RN, MSN, and Executive Director  
 Kris McLaughlin, Secretary  
 Peggian Thornton, Secretary  
 Maura Egan, RN, PhD, Education Manager  
 Jeanne Giese, RN, MN, Investigation Manager

Karl Hoehn, Lead Staff Attorney  
 Chuck Cumiskey, RN, BSN, CRRN, Nurse Practice Manager  
 Terry West, Health Administrator

Agenda Item		Discussion	Decision	Action/Follow Up
<b>May 10, 2002</b>				
1.	<b>Opening</b>	The meeting was called to order by Joanna Boatman, Chair at 9:05AM		
2.	<b>Consent Agenda—ACTION</b>  Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.		The commission approved all consent agenda items other than those removed and placed on the regular agenda for discussion. Those items are: 2b, 2c.  NCSBN Board of Directors report was added to the consent agenda.	
	A. March 14, 15, 2002 Business Meeting Minutes  August 23, 2001 disciplinary minutes			

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	B. Budget report	<i>This item will be moved to the regular agenda for discussion.</i>	Motion made and seconded for the steering committee to spearhead a budget adjustment to meet the needs of the commission.	Do payroll comparison with 3 years ago for July meeting.
		Terry West explained 2 areas of concern, Board payroll and AAG support. We still have 4 more months and overspent by \$ 33,190. Charging panels, task force meetings, hearings.		Modify payroll policy again with changes highlighted for July meeting.
		Several commission members shared concerns that most commission members don't submit all of their time spent on commission business, to consider using own travel and rental car agency to save money, faxing or emailing documents rather than mail and also the length of hearing lasting usually more than 8 hours in one day but being paid for "\$250.00 a day".		
		Office of Financial Management and the legislature determines allotment, on the amount that can be spent.		
		The Department of Health asked for an increase in allotment in a supplemental budget request but the Legislature reduced the amount.		
		Instead of traveling to schools have the students come to you. Shannon had students come to her office for Commission 101 presentation rather than her travel to schools.		
		Suggestion by Joanna asking the steering committee to be the body that asks for budget reconsideration. Consider asking what we are willing to do, want to do, what it will take to do their jobs efficiently.		
	C. Rules update	<i>This item will be moved to the regular agenda for discussion.</i>		

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	D. Report on State Operator assisted conference calls			
	E. National Council of State Boards of Nursing (NCSBN) April board meeting minutes			
	F. Health Services Quality Assurance (HSQA) Workforce Shortages Task Force report			
	G. Critical Access Facilities			
	H. Indirect costs			
	I. National Council of State Boards of Nursing Regulatory Achievement Award			
	J. Advanced Registered Nurse Practitioner Specialty Categories Rules			
	K. Other	<p><i>Add rules in progress item 2K to regular agenda for discussion.</i></p> <p>In reviewing the rules in progress matrix, Shirley had concerns about why nurses are not being listed under “responsible managers” column in the chart. Terry explained that the Manager who is listed is the contact person.</p>		
3.	<b>Chair report—Joanna Boatman—DISCUSSION/ACTION</b>			
	▪ Mutual State Recognition	There is a need to talk about budget and how it affects us and how we do business.		
		There is concern of the using email when communicating rather than emails because of not meeting face to face, need to be sure commission		

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		business is discussed in front of the entire commission and not discussed through email.		
		There has been concern on the Commission not conducting the September meeting in Spokane.		
		Concern of Paula not traveling to NCSBN meetings, doesn't have the same impact.		
	▪ Other	Practice guide has replaced the newsletters and goes out once a year.	The Tri Council summit will be held July 19 at the Marriott in Seattle.	
		There were numerous concerns brought up by commission members of the necessity of travel and how important it is for commission members and staff to attend the meetings in person. There are a lot of public relations that goes into commission members attending meetings.	This is by invitation only and the Nursing Commission can invite 5 guests. Gail Kirk, Joanna Boatman, Paula Meyer and Frank Maziarski will attend. Shirley Aikin will attend as a pro tem member if not a member of Pacific Lutheran University	
		A concern was brought up about the imposition of commission members attending meetings and being paid for 8 hours, which doesn't include any travel to and from the meeting. The RCW states Nursing Commission is paid up to 250.00 a day.		
		The question if the policy is applied across the board? The Department is considering it at this time. Some Boards are reimbursed nothing; some \$50.00 a day and 3 commissions receive \$250.00 a day.		
4.	<b>Executive Director report—Paula Meyer—DISCUSSION/ACTION</b>			
	▪ Travel, Hiring and equipment Freeze	Paula Meyer reported that the Governor has lifted the travel, equipment and hiring of FTE's freezes. The Legislature has passed		

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		the budget. What this means to us is that within DOH we still need to have all travel, equipment and FTE prior approval.		
		Even though all out of state travel is paid for by National Council of State Boards of Nursing if more than 1 member travels to out of state, there needs to be clear justification. Paula feels there is justification to send one member to House of Delegates and only if the commission approves her to attend will she attend. We are authorized 2 members by NCSBN and that Paula cannot be a delegate. Travel is essential to core functions of the Nursing Commission. The National Council of State Boards of Nursing Board of Directors meeting will be held at the Mayflower Hotel in Seattle June 26 and is open to the public.		
		The Disciplinary summit is in June and Paula is the Board liaison. Paula explained that we still would be able to conduct our core functions if nobody attended.		
	<ul style="list-style-type: none"> <li>Staffing Update</li> </ul>	The AAG office has been given direction to reduce force and we will receive about 2 FTE's of work most being drafting of charges of Nursing Assistant program. The Medical had a vacant staff attorney position, which has been transferred to us. Barbara Evans Cordts will start with the Nursing Commission as the new staff attorney on May 27. Because of the workload we have redesigned; Gail Banning will transfer from being a staff assistant with the investigative unit to a paralegal position in legal. Shellie Pierce will oversee the		

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		discipline section.		
	<ul style="list-style-type: none"> <li>Other</li> </ul>	Paula Meyer presented Shirley Aikin and Shannon Fitzgerald plaques for their years of service on the Nursing Commission. Gifts were presented to them as well from the Commission members. Their last day as commission members will be June 30, 2002.		
5.	<b>Discussion Items—Joanna Boatman— DISCUSSION/ACTION</b>  The commission members will discuss items that have come to their attention since the last meeting that may need further research or assignment to a sub-committee or task force.			
6.	<b>Election of New Officers—Frank Maziarski—DISCUSSION/ACTION</b>			
	<ul style="list-style-type: none"> <li>In 2001, the Nursing Care Quality assurance Commission agreed that if officers were able to serve two-year terms, this was acceptable. The nominating committee will present a report of current officers and nominees if needed. An election of officers for 2002-2003 will occur if necessary.</li> </ul>		A motion was made and passed to re-elect Joanna Boatman as Chair and Becky Kerben, Vice Chair. Both agreed to stay on another term.	
7.	<b>July Commission/Pro tem workshop—Joanna Boatman— DISCUSSION/ ACTION</b>	Becky Kerben asked for more communication regarding compliance between commission members and staff.		
		Marlene Wells asked for more communication with the whole compliance process.		
		A suggestion to have more information on nursing education.		
		Update on unlicensed assisted personnel, certified Registered nurses		Compliance orientation, more

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		assisted, nurse delegation, working with assisted personnel. Suggestion from Shannon and the joint subcommittee mtg.		education on nursing education, assisted personnel, nurse delegation to be held at the July workshop.
	<ul style="list-style-type: none"> <li>The commission will discuss items for the July workshop</li> </ul>			
8.	<b>Role of non-voting licensed midwife commission member—Cheryl Payseno—DISCUSSION/ACTION</b>			
	<ul style="list-style-type: none"> <li>The Nursing commission received a report at the March meeting and agreed the actions described were appropriate. Shannon Fitzgerald and Cheryl Payseno developed a position description to be included in the commission member packets.</li> </ul>	Non-voting commission members have all rights except they cannot vote.	Motion made and passed to adopt the purpose statement dated 4/26/02 that is included in the packets. Shirley abstained.	
9.	<b>Licensing improvements—Paula Meyer, Terry West—DISCUSSION/ACTION</b>			
	<ul style="list-style-type: none"> <li>Cheryl Payseno, Ellen Rosbach, Paula Meyer and Terry West met to review the licensing matrix that was presented at the March 15 meeting</li> </ul>	A conference call held with Paula Meyer, Terry West, Cheryl Payseno and Ellen Rosbach was held prior to this meeting. Paula Meyer explained the licensing improvements matrix, which includes the tasks, requirements, fees or numbers, staff time and recommendations from the committee. Paula thanked Terry West for developing the matrix.	A motion was made and seconded to delete photo requirement and HIV/AIDS training.	Present LEL recommendation and other proposals for motion in July.
		If Photos are needed for identification purposes they can be requested from the Department of Licensing.	RN and LPN license verifications move towards NURsys then verifications would not be necessary.	
		HIV/AIDS training is required in schools so does not need to be required by the Commission.		

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		The RN and LPN verifications will be done by nurSYS in the future.		
		There was discussion as to whether a limited education license is needed any longer. This license is given to those who need to take a refresher program.		
10.	<b>Federal Rules regarding reimbursement of facilities for Certified Registered Nurse Anesthetist, Physician Supervision, and the Governor waiver issue—Frank Maziarski—DISCUSSION/ ACTION</b>			
	<ul style="list-style-type: none"> <li>A task force of the NCQAC met to further develop the concern, questions and comments related to the governor's request for consultation. The task force will report on their findings.</li> </ul>	The task force will reintroduce a new draft during practice subcommittee portion of the meeting.		
		An updated version was brought by Pam Lovinger. These are not recommendations, but are the issues regarding the Federal rules and what the Governor should consider when making his decision.		
		The presentation is what they heard from stakeholders regarding access to care and quality of care. They are looking for statements from Osteo, Medical and Nursing on issues or concerns. The Governor's office is asking the Department to send one letter.		
		Suggestion for Pam to show a contrast of the 3 professions.		
		Frank read the draft developed today and the commission approved it as		



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		read. Attached is a copy of the draft.		
11.	<b>National Council of State Boards of Nursing committee reports</b>			
	A. APRN task force—Shannon Fitzgerald	Shannon Fitzgerald attended one of the 3 video conference days. They discussed the model rule, Nurse Practitioner in model rule was rejected and there are only 8 states like Washington.		
	B. Practice, Education, Regulation, Congruence (PERC) Task force Report—Maura Egan	Maura Egan attended the PERC conference on April 11 and 12 <sup>th</sup> . The last meeting of the task force in August they will vote on 4 recommendations narrowed down from 12 and are as follows:		
		<ul style="list-style-type: none"> <li>Improve organizational environment to hear stakeholder within and without</li> </ul>		
		<ul style="list-style-type: none"> <li>Work on developing model for regulatory excellence with stakeholders</li> </ul>		
		<ul style="list-style-type: none"> <li>Ensure education of US and foreign education as being safe practice</li> </ul>		
		<ul style="list-style-type: none"> <li>Develop scopes of practice for all nurses and assistive unlicensed personnel.</li> </ul>		
		Because Maura has been so involved in this she stated that she would take her vacation to participate at delegate assembly.		
		Maura also explained that all states that have participated in nuSYS would be getting a return on their money because of the importance of this data base.		
	C. 25 <sup>th</sup> Anniversary—Cheryl			

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	Payseno			
	D. Disciplinary Investigator Summit —Paula Meyer			
12.	<b>Role of non-voting licensed midwife commission member—Cheryl Payseno —DISCUSSION/ACTION</b>			
	<ul style="list-style-type: none"> <li>SB 6641, Accommodating Children with Diabetes, was signed by the Governor. The implementation plan for developing a model uniform policy by the department of Health and the Office of the Superintendent of Public Instruction (OSPI) will be presented and feedback gathered.</li> </ul>			
	<ul style="list-style-type: none"> <li>2003 Legislative session planning</li> </ul>	Paula Meyer explained the Legislative preparation timelines for the 2003 session and the criteria for evaluating potential agency request legislation. The issues identified for possible future legislation at this time is SB 6641.		
13.	<b>Discipline Process Improvements—Paula Meyer, Karl Hoehn—DISCUSSION/ACTION</b>			
	<ul style="list-style-type: none"> <li>Five small groups were designated at the March meeting and charged with developing action plans for this meeting. Each group's action plans will be presented; the commission will prioritize the plans and choose the plans that have the most promise for improving our current processes.</li> </ul>		<p>Motion made and passed to open agenda item for discussion.</p> <p>Motion made and second for Paula and Karl to prioritize action plans and present to commission in July.</p>	July workshop, Karl and Paula present prioritized action plans.
14.	<b>Education/Practice joint Sub-Committee meeting—Shannon Fitzgerald/Shirley Aikin—DISCUSSION/ACTION</b>	Shannon reported that the competency issue was discussed at the joint subcommittee meeting this morning and that they should do a survey.	A decision was made for Chuck to work with Victoria Fletcher to draft an action plan about competency for the July workshop.	Chuck: will work with Victoria to find out what are possible and present ideas to the commission in July to

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				see if it will work for everyone.
		Talk to employers and be a facilitator between them and the Nursing Commission regarding competency and the working person only.		
		Develop an action plan for the July meeting as to what are the issues; what responsibility does the Nursing Commission have to ensure that those practices are competent. Not continuing education but work experience.		
		Partner with employers and ask what they want to know and to find out how they measure competence. The pool should be nurses, employers and nursing pools		
		Facilities have many competencies in place.		
		Education: To be stated in the rules.		
		Discussed the foreign nurse. It is a requirement for foreign nurses to take tofol exam and how do we know the applicant is a nurse and trained in English? Was their clinical done in an English-speaking environment? Some have been trained in English but not practiced in English settings. Communication could be questionable. Validation of credentials is essential.		
		Nursing Assistant task force has concerns that there are no educational requirements for Nursing Assistants.		
15.	Patient Care Technician (PCT)—			

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	<b>Paula Meyer—DISCUSSION/ACTION</b>			
	<ul style="list-style-type: none"> <li>Develop an action plan for the proposal on Patient Care Technicians</li> </ul>	<p>The Commission recommends that the Practice Subcommittee look at a letter that came to the office regarding Patient Care Technicians. They are asking for feedback as they plan to put it into practice in 2003.</p> <p>This topic was discussed at CNEWS</p>	<p>A motion was made and seconded that a letter shall be drafted to Edmonds Community College indicating that the Nursing Commission has reviewed the proposal for a Patient Care Technician program and is expressing the following concerns: (See attached)</p>	<p>A letter will be drafted by the Practice Subcommittee to the school that the Nursing Commission has no jurisdiction and that you cannot be a licensed nursing assistant with these advanced skills</p>
			<ul style="list-style-type: none"> <li>The program appears to represent unlicensed practice of the licensed practical nurse</li> </ul>	
			<ul style="list-style-type: none"> <li>Certified nursing assistants are not permitted to perform most of the task listed</li> </ul>	
			<ul style="list-style-type: none"> <li>Health care assistants are not individually licensed. They are registered by virtue to their employment.</li> </ul>	
16.	<b>Executive Session if needed—<i>The Executive Session is that part of a regular or special meeting that is closed to the public.</i></b>			
<b>Lunch</b>				
<b>1:00 OPEN MIKE PM</b>				
	Open mike is for public presentation of issues to the Nursing commission. If the public has issues regarding disciplinary cases, please call: 360-236-4727.	Joan Garner, WSNA, spoke to the commission on		
		Joan Garner, WSNA, spoke to the Commission on a couple topics. The budget: for the Nursing Commission, as a regulatory body, should not be		

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		working overtime, liabilities error. What happens to the million dollars in the budget and why can't we use it. Joan feels commission members should be paid for the time they are doing business on the commission.		
		Licensed MW position is a very important position on the commission. Why even have a non-voting member on the commission. She is not aware that Sandy does not vote. Turn it into a voting public member (From WSNA recommendation). Why pay for a non-voting position.		
		WSNA would support increase in fees in order to pay for commission work.		
		2) Patient care technician: Just another name for health care worker, is what WSNA believes and does not support this type of training.		
		3) Bio-terrorism- Need to have bodies, not necessarily trained to give injections. Registered nursing is not just the tasks, there is so much more.		
		Mary Davis, RN, BSN, Nurse Recruiter, Children's hospital Medical Center – spoke on behalf of the Organization of Nurse recruiters: communication the commission in not receiving newsletters, special mailings and feels a lot of organizations are being missed.		
		CJ Welter – on behalf of WSNA – supports the OR nurses, commends commission on their work.		
		Bob Baxter – RN circulating nurse topic and made comment that he had learned a lot		

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17.	<b>Practice Subcommittee report— Shannon Fitzgerald— DISCUSSION/ACTION</b>	An Executive Session was not needed at this time.		
	A. Unlicensed assistive personnel guide for RNs and LPNs—Chuck Cumiskey— DISCUSSION/ACTION	Old Business – DISCUSSION/ACTION		
	▪ Review progress			
	▪ Matrix			
	B. Medication organizer—Shannon Fitzgerald— DISCUSSION/ACTION	Old Business – DISCUSSION/ACTION		
	▪ Review Position statement	Change bullet #3 to say; Settings and programs include: boarding homes, adult family homes, home health including hospice, DDD Certified programs, private homes	Motion was made and passed to accept draft dated May 10, 2002 position statement.  Motion was made and passed to accept the position statement with amendments.  See attached	
			A motion was made and passed to the position statement regarding medication organizers to the Board of Pharmacy, Medical Commission and the Osteopathic Board for their endorsement with a cover letter from the Practice Subcommittee explaining the issues.	
	▪ Motion: Adopt position statement to replace previously archived advisory opinions related to the use of refillable medication organizers by RNs and LPNs.			
	C. RN's in the Operating Room / Review draft position statement—Chuck Cumiskey— DISCUSSION/ACTION	The draft position statement dated 5/10/02 was reviewed and the corrections to be:	Motion was made and seconded to accept with revisions draft dated 5/20/02	

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		Title: (Lower case) registered nurse as circulating nurse in the operating room in non traditional surgical settings	Motion made and seconded to accept draft dated 4/17/02 with revisions. See attached	
		(Paragraph one): It is the role of the registered nurse to function as the circulating nurse in the operating room and other non-traditional settings.		
		Draft dated 4/1/02 was reviewed with corrections of correcting to lower case; rn circulating nurse in the operating room and paragraph one delete or other invasive		
	D. Practice guide Update—Chuck Cumiskey— DISCUSSION/ACTION			
	<ul style="list-style-type: none"> <li>Cost breakdown of printing</li> </ul>	<p>Suggestion was made to post the practice guidelines on the web for a while and see if there is a need to mailing it which would cost approximately \$47,467.00 total.</p> <p>There was discussion on charging for the practice guidelines.</p>		
	<ul style="list-style-type: none"> <li>Examine different scenarios</li> </ul>			
	<ul style="list-style-type: none"> <li>Project timelines</li> </ul>			
	E. Office Based Surgery—Chuck Cumiskey— DISCUSSION/ACTION			
	<ul style="list-style-type: none"> <li>Review draft statement and comment on next action</li> </ul>	Frank discussed the Health Professions Quality Assurance Division Analysis and Position on Provision of Anesthesia Services draft statement. Asking that the Nursing Commission accept this draft to send to overlapping scopes of practice.	The motion was made and seconded to accept the draft position with amendments. See attached	

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	F. Advisory Opinions—Shannon Fitzgerald/Chuck Cumiskey—DISCUSSION/ACTION			
	1. Request from Karen Maher, RN  “May LPNs and/or RNs close lacerations by applying dermabond?” Discussion / Action / Request input from whole Commission		Motion was made and seconded to accept the Practice subcommittee recommendation to accept dermabond advisory opinion.	
	2. Request from Sandy Kellas, RN  Currently, it is stated in the WAC Website as well as the Department of Health—Health Professionals Quality Assurance Division—Washington State Nursing Commission Policy/Procedure that “an original license must be visually inspected for verification of licensure”. Is this practice still necessary with the automated phone and on-line verification in place? Request input from whole Commission	The commission discussed if this was a commission advisory opinion or if it should be referred to the Dept of Health Facility and Licensing office. Jahco requires picture identification, the commission prefers licensees do not photocopy their licenses, on line verification checks are available and that an option may be to bring the licensee in to verify it is the correct person.	A decision was made to refer this advisory opinion to Facilities Licensing of the Department of Health.	
	3. Clarification of use of insulin injection devices in nurse delegation settings—Shannon Fitzgerald—DISCUSSION/ACTION	FYI		
	G. Rules—Chuck Cumiskey—DISCUSSION/ACTION			
	▪ 700 rules update	Included in the packets is the latest version.		
	H. Other			



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18.	<b>Education Subcommittee report— Shirley Coleman Aikin— DISCUSSION/ACTION</b>			
	A. Nursing Assistant Task Force— Maura Egan— DISCUSSION/ACTION	Shirley Aikin reported on the first meeting, which was held April 30. There was good representation from DSHS, the Nursing Commission and staff, Department of Health staff and stakeholders.		
		There is no training for Registered Nursing Assistants other than through Dept of Social and Health Services. There is a need to work out a connection that the Nursing Commission understands the programs and approval process, which is done every 2 years. The next meeting will be prior to NC July meeting.		
	▪ Membership			
	▪ Meeting/goals			
	B. CNEWS report—Maura Egan— DISCUSSION/ACTION	Maura Egan reported on the new practice guidelines, which were handed out for summer graduates. The first page talks about the PN program.		
	▪ Feedback on NCLEX pass rates (discussion)	Maura reported that Washington State rates 5 <sup>th</sup> in 50 states for current cumulative annual PN pass rate. Washington ranks 8 <sup>th</sup> for the RN pass rate.		
	▪ Progress report on articulation in Nursing Education			
	▪ Request for NCLEX examination data (discussion/action)			

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	<ul style="list-style-type: none"> <li>CNEWS report from April 25–26 meeting</li> </ul>	A grant was given to the CNEWS for the TriCouncil.		
	C. Rules—Shirley Coleman Aikin—DISCUSSION/ACTION			
	1. Report on Education WACs			
	<ul style="list-style-type: none"> <li>CR102—draft language</li> </ul>	The draft language is being developed from public meetings.		
	<ul style="list-style-type: none"> <li>Hearing date</li> </ul>			
	2. Report on Licensing Rules workshop (WAC 246-840-10 through 090)	The first workshop was March 13 with just one person in attendance who was from WSNA. In Spokane April 25 there were more than 30 in attendance.		
	<ul style="list-style-type: none"> <li>Feedback from stakeholders</li> </ul>			
	<ul style="list-style-type: none"> <li>CR102 progress</li> </ul>			
	D. Other	Commission 101 video, comments were good, next time use slides		
		Do something on documentation etc and send out to settings, like hospitals.		
19	<b>Discipline Subcommittee Report—Karl Hoehn/Cheryl Payseno—DISCUSSION/ACTION</b>	Update, project to get list of commission approved evaluators is ahead of schedule. Letters have gone out to get letters of interest for commission to approve to come up with a list of evaluators.		
20.	<b>Other/FYI</b>			
21.	<b>Closing</b>			

*Approved on \_\_\_\_\_, as attested by Joanna Boatman, Nursing Commission Chair*

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The minutes were recorded by Kris McLaughlin \_\_\_\_\_